IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA AT CHANDIGARH

COCP No.711 of 2005
Date of decision: October 30, 2006.

Nand Steel Industries (P) Ltd.

...**Petitioner(s)**

v.

Shri Ram Bhagat Langyan, IAS & Ors.

...**Respondent(s)**

Present: Shri Shailendra Jain, Advocate for the petitioner.

Shri R.D. Sharma, Dy. Advocate General, Haryana for the respondents.

Surya Kant, J. (Oral)

The petitioner filed CWP No.3664 of 2003, which was disposed ofby a Division Bench of this Court on March 6, 2003 with a direction to respondents No.2 and 3 to consider the petitioner's claim "for the release of Central Investment Subsidy and decide the same within a period of two months from the date of submission of certified copy" of the said order. The Bench also put a word of caution that the afore-mentioned direction shall not be construed as a mandate "for the release of subsidy to the petitioner and the authority concerned must satisfy itself about the entitlement and eligibility of the petitioner" to get the same.

Alleging non-compliance of the above stated order, this contempt petition has been filed.

In response to the show cause notice, all the four respondents have filed their respective reply-affidavits. It has been averred that in

compliance to the directions issued by this court, the petitioner's claim for the release of Central Investment Subsidy has been duly considered and turned down. The first respondent, along with his affidavit dated 26.9.2005, has also appended a copy of the letter dated 19.9.2005 (Annexure R-1) which is addressed to the petitioner informing it that the Central Investment Subsidy was discontinued by the Govt. of India with effect from 30th July, 1988, though in terms of the subsequent directions issued by the Apex Court, the pending cases of Central Investment Subsidy were again required to be reviewed. Consequently, the petitioner's case was considered in the 63rd State Level Committee meeting held on 8.10.1996 and subsidy amounting to Rs.41,465/- was sanctioned. The committee, however, had also decided that the General Manager, District Industries Centre should check the working status of the unit before the release of the subsidy. The General Manager vide his letter dated 20.1.1997 informed that the petitioner-unit remained in production from 1988 to 31.3.1995 and thereafter it was lying closed. On this ground, it was held that the petitioner was not entitled for the release of the subsidy.

In view of the fact that the directions issued by this court have been complied with by the respondents and the petitioner's claim has been duly considered, this petition is disposed of with liberty to the petitioner to impugn the above stated communication dated 19.9.2005 (Annexure R-1) before an appropriate forum, if so advised.

Disposed of.

Rule discharged.

October 30, 2006. [**Surya Kant**]
kadyan **Judge**